Form B9A (Chapter 7 Individual or Joint Debtor No Asset Case) Case Number **08−40439**

# UNITED STATES BANKRUPTCY COURT
District of South Dakota

## Notice of Chapter 7 Bankruptcy Case, Meeting of Creditors & Deadlines

A chapter 7 bankruptcy case concerning the debtor(s) listed below was filed on 7/21/08 .

You may be a creditor of the debtor(s). **This notice lists important deadlines.** You may want to consult an attorney to protect your rights. All documents filed in the case may be inspected at the bankruptcy clerk's office at the address listed below or online using CM/ECF (contact the clerk's office for more information regarding CM/ECF). NOTE: The staff of the bankruptcy clerk's office cannot give legal advice.

**Debtor(s):**
Tom Allen Mofle
436 S. Garfield Ave.
Sioux Falls, SD 57104

Paula Kay Mofle
436 S. Garfield Ave.
Sioux Falls, SD 57104

| **Case Number:** | **Social Security/Taxpayer ID Numbers:** |
|---|---|
| 08−40439 | xxx−xx−6549<br>xxx−xx−6122 |
| **Attorney for Debtor(s):**<br>James A. Craig<br>Craig Law Office<br>714 W. 41st St.<br>Sioux Falls, SD 57105−6406<br>Telephone number: (605) 373−0442 | **Bankruptcy Trustee:**<br>Lee Ann Pierce<br>Trustee<br>PO Box 524<br>Brookings, SD 57006<br>Telephone number: 605−692−9415 |

## Meeting of Creditors:

Date: **August 22, 2008** Time: **03:30 PM** Location: **Suite 300, 314 S. Main Ave., Sioux Falls, SD 57104**

## Presumption of Abuse under 11 U.S.C. § 707(b)

*See "Presumption of Abuse" on reverse side.*

The presumption of abuse does not arise.

## Deadlines:

Papers must be *received* by the bankruptcy clerk's office by the following deadlines:

**To File a Complaint Objecting to Discharge of Debtor(s) *or* to Determine Dischargeability of Certain Debts: 10/21/08**

**To Object to Exemptions:**
Thirty (30) days after the *conclusion* of the meeting of creditors.

## Creditors May Not Take Certain Actions:

In most instances, the filing of the bankruptcy case automatically stays certain collection and other actions against the debtor(s) and the property of the debtor(s). Under certain circumstances, the stay may be limited to 30 days or not exist at all, although the debtor(s) can request the court to extend or impose a stay. If you attempt to collect a debt or take other action in violation of the Bankruptcy Code, you may be penalized. Consult an attorney to determine your rights in this case.

## Please Do Not File a Proof of Claim Unless You Receive a Notice To Do So.

## Foreign Creditors

A creditor to whom this notice is sent at a foreign address should read the information under "Do Not File a Proof of Claim at This Time" on the reverse side.

| **Address of the Bankruptcy Clerk's Office:** | **For the Court:** |
|---|---|
| 400 S. Phillips Ave., Room 104<br>Sioux Falls, SD 57104−6851<br>Telephone number: 605−357−2400 | Frederick M. Entwistle<br>Clerk of the Bankruptcy Court |
| Hours Open: Monday − Friday 8:00 AM − 5:00 PM | Date: 7/21/08 |

**SEE OTHER SIDE FOR IMPORTANT EXPLANATIONS.**

# EXPLANATIONS

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|---|---|
| Filing of Chapter 7 Bankruptcy Case | A bankruptcy case under chapter 7 of the Bankruptcy Code (title 11, United States Code) has been filed in this court by or against the debtor(s) listed on the front side, and an order for relief has been entered. |
| Creditors Generally May Not Take Certain Actions | Prohibited collection actions are listed in Bankruptcy Code § 362. Common examples of prohibited actions include contacting the debtor(s) by telephone, mail or otherwise to demand repayment; taking actions to collect money or obtain property from the debtor(s); repossessing property of the debtor(s); starting or continuing lawsuits or foreclosures; and garnishing or deducting from wages of the debtor(s). Under certain circumstances, the stay may be limited to 30 days or not exist at all, although the debtor(s) can request the court to extend or impose a stay. |
| Presumption of Abuse | If the presumption of abuse arises, creditors may have the right to file a motion to dismiss the case under § 707(b) of the Bankruptcy Code. The debtor(s) may rebut the presumption by showing special circumstances. |
| Meeting of Creditors | A meeting of creditors is scheduled for the date, time and location listed on the front side. *The debtor (both spouses in a joint case) must be present at the meeting to be questioned under oath by the trustee and by creditors.* Creditors are welcome to attend, but are not required to do so. The meeting may be continued and concluded at a later date without further notice. |
| Do Not File a Proof of Claim at This Time | There does not appear to be any property available to the trustee to pay creditors. *You therefore should not file a proof of claim at this time.* If it later appears that assets are available to pay creditors, you will be sent another notice telling you that you may file a proof of claim, and telling you the deadline for doing so. If this notice is mailed to a creditor at a foreign address, the creditor may file a motion requesting the court to extend the deadline. |
| Discharge of Debts | The debtor(s) is (are) seeking a discharge of most debts, which may include your debt. A discharge means that you may never try to collect the debt from the debtor(s). If you believe the debtor(s) is (are) not entitled to receive a discharge under Bankruptcy Code § 727(a) *or* that a debt owed to you is not dischargeable under Bankruptcy Code § 523(a)(2), (4), or (6), you must start a lawsuit by filing a complaint in the bankruptcy clerk's office by the "Deadline to File a Complaint Objecting to Discharge of Debtor(s) *or* to Determine Dischargeability of Certain Debts" listed on the front side. The bankruptcy clerk's office must receive the complaint and the required filing fee by that deadline. |
| Exempt Property | The debtor(s) is (are) permitted by law to keep certain property as exempt. Exempt property will not be sold and distributed to creditors. The debtor(s) must file a list of all property claimed as exempt. You may inspect that list at the bankruptcy clerk's office. If you believe an exemption claimed by the debtor(s) is not authorized by law, you may file an objection to that exemption. The bankruptcy clerk's office must receive the objection by the "Deadline to Object to Exemptions" listed on the front side. |
| Bankruptcy Clerk's Office | Any paper you file in this bankruptcy case should be filed at the bankruptcy clerk's office at the address listed on the front side. You may inspect all papers filed, including the list of the debtor's(s') property and debts and the list of the property claimed as exempt, at the bankruptcy clerk's office. You may also review them online, using CM/ECF (contact the clerk's office for more information regarding CM/ECF). |
| Foreign Creditors | Consult an attorney familiar with United States bankruptcy law if you have any questions regarding your rights in this case. |
| Legal Advice | The staff of the bankruptcy clerk's office cannot give legal advice. You may want to consult an attorney to protect your rights. |
| **Debtor Identification** | **Important notice to individual debtors: All individual debtors must provide picture identification and proof of social security number to the trustee at the meeting of creditors. Failure to do so may result in the dismissal of your case.** |

−− Refer to Other Side for Important Deadlines and Notices −−

BAE SYSTEMS
Bankruptcy Noticing Center
2525 Network Place, 3rd Floor
Herndon, Virginia 20171-3514

# CERTIFICATE OF SERVICE

District/off: 0869-4 User: ckram Page 1 of 1 Date Rcvd: Jul 21, 2008
Case: 08-40439 Form ID: b9a Total Served: 28

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The following entities were served by first class mail on Jul 23, 2008.
db           +Paula Kay Mofle,   436 S. Garfield Ave.,   Sioux Falls, SD 57104-3821
db           +Tom Allen Mofle,   436 S. Garfield Ave.,   Sioux Falls, SD 57104-3821
aty           James A. Craig,   Craig Law Office,   714 W. 41st St.,   Sioux Falls, SD  57105-6406
aty           Stephanie C. Bengford,   Assistant U.S. Attorney,   PO Box 2638,   Sioux Falls, SD  57101-2638
tr           +Lee Ann Pierce,   Trustee,   PO Box 524,   Brookings, SD 57006-0524
ust          +Bruce J. Gering,   314 South Main Avenue, Suite 303,   Sioux Falls, SD 57104-6312
885954        Advanta,   PO Box 30715,   Salt Lake City UT 84130-0715
885955       +Alliance One,   1160 Centre Pointe Dr Ste 1,   Mendota Heights MN 55120-1270
885956       +Citi,   POB 6241,   Sioux Falls SD 57117-6241
885957        Hollander Law Offices LLC,   PO Box 105130,   Atlanta GA 30348-5130
885959        Kia Motors Finance Company,   PO Box 105299,   Atlanta GA 30348-5299
885960       +Levy DiamondBello  Associates,   PO Box 352,   Milford CT 06460-0352
885961        Litigation Dept,   Advanta Bank Corp,   PO Box 844,   Spring House PA 19477-0844
885962       +NCB Management Services Inc,   PO Box 1099,   Langhorne PA 19047-6099
885963       +Phillips  Cohen Associates Ltd,   258 Chapman Rd Ste 205,   Newark DE 19702-5446
885964       +Pinnacle Financial Group,   7825 Washington Ave S Ste 310,   Minneapolis MN 55439-2424
885965       +Primary Financial Services,   3115 North 3rd Ave Ste 112,   Phoenix AZ 85013-4359
885966       +Renneberg Hardwoods Inc,   PO Box 188,   Menahga MN 56464-0188
885967        Tiburon Financial LLC,   PO Box 770,   Boystown NE 68010-0770
885968        Usb Manifest,   1450 Child Parkway,   Marshall MN 56258
885969       +Van Ru Credit Corporation,   10024 Skokie Blvd Ste 2,   Skokie IL 60077-1037
885971        Wells Fargo Bank NA,   PO Box 4233,   Portland OR 97208-4233
885970       +Wells Fargo Bank NA,   co Customer Management,   PO Box 4233,   Portland OR 97208-4233
885972        Wells Fargo Bnk,   MAC  U1851-039,   3035 Elder St 3rd Floor,   Boise ID 83705
885973       +Wells Fargo Business Direct Div,   MAC U1851-014,   PO Box 7487,   Boise ID 83707-1487
885974        Wells Fargo Consumer Credit Group,   Collections Servicing,   MAC N8235-049,   PO Box 10438,
               Des Moines IA 50306-0438
885975       +Wells Fargo Home Mortgage,   3476 Stateview Blvd,   Fort Mill SC 29715-7203

The following entities were served by electronic transmission on Jul 21, 2008.
885956       +EDI: CITICORP.COM Jul 21 2008 20:58:00     Citi,   POB 6241,   Sioux Falls SD 57117-6241
885958        EDI: IRS.COM Jul 21 2008 20:58:00     Internal Revenue Service,   PO Box 21126,
               Philadelphia PA 19114
885971        EDI: WFFC.COM Jul 21 2008 20:58:00     Wells Fargo Bank NA,   PO Box 4233,
               Portland OR 97208-4233
885970       +EDI: WFFC.COM Jul 21 2008 20:58:00     Wells Fargo Bank NA,   co Customer Management,
               PO Box 4233,   Portland OR 97208-4233
885975       +EDI: WFFC.COM Jul 21 2008 20:58:00     Wells Fargo Home Mortgage,   3476 Stateview Blvd,
               Fort Mill SC 29715-7203
                                                                                               TOTAL: 5

           ***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****
cr            IRS
                                                                                               TOTALS: 1, * 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.
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**I, Joseph Speetjens, declare under the penalty of perjury that I have served the attached document on the above listed entities in the manner shown, and prepared the Certificate of Service and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 9): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

**Date: Jul 23, 2008** **Signature:** Joseph Speetjens